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Commission on the Limits of the Continental Shelf

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New York, 24 July-8 September 2017

Progress of work in the Commission on the Limits of the Continental Shelf

Statement by the Chair

Summary

The present statement provides information on the work carried out by the Commission on the Limits of the Continental Shelf and its subcommissions during its forty-fourth session, the first following the election, on 14 June 2017, of 20 members of the Commission at the twenty-seventh Meeting of States Parties to the United Nations Convention on the Law of the Sea. The statement contains information on the election of the officers of the Commission, the appointment of members to its subsidiary bodies and adjustments in the internal working methods. It also contains an overview of the progress made in the examination of the submissions made by the Russian Federation in respect of the Arctic Ocean (partial revised submission); Brazil in respect of the Brazilian Southern Region (partial revised submission); Norway in respect of Bouvetøya and Dronning Maud Land; France and South Africa, jointly, in respect of the area of the Crozet Archipelago and the Prince Edward Islands; Kenya; Mauritius in respect of the region of Rodrigues Island; Nigeria; Seychelles in respect of the Northern Plateau Region; France in respect of Reunion and the Saint-Paul and Amsterdam islands; Côte d'Ivoire; Sri Lanka; and Portugal. In addition, it provides information on other pending issues dealt with by the Commission during the session.

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1. Pursuant to the decision adopted at its forty-first session (see CLCS/95, para. 113), as endorsed by the General Assembly in its resolution 71/257 (para. 100), the Commission on the Limits of the Continental Shelf held its forty-fourth session at Headquarters from 24 July to 8 September 2017. The plenary parts of the session were held on 24 July, from 28 to 30 August and on 1 September 2017. The other parts of the session were used for the technical examination of submissions at the geographic information system laboratories of the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs of the Secretariat.

2. The following members of the Commission attended the session: Adnan Rashid Nasser al-Azri, Lawrence Folajimi Awosika, Aldino Campos, Wanda-Lee De Landro-Clarke, Ivan F. Glumov, Martin Vang Heinesen, Emmanuel Kalngui, Wenzheng Lyu, Mazlan bin Madon, Estevão Stefane Mahanjane, Jair Alberto Ribas Marques, Marcin Mazurowski, Domingos de Carvalho Viana Moreira, David Cole Mosher, Simon Njuguna, Yong Ahn Park, Carlos Marcelo Paterlini, Clodette Raharimananirina, Toshitsugu Yamazaki and Gonzalo Alejandro Yáñez Carrizo.[1]

3. The Commission had before it the following documents and communications:

(a) Provisional agenda (CLCS/L.43);

(b) Statement by the Chair on the progress of work in the Commission at its forty-third session (CLCS/98);

(c) Report of the twenty-seventh Meeting of States Parties to the United Nations Convention on the Law of the Sea (SPLOS/316);

(d) Submissions made by coastal States[2] pursuant to article 76, paragraph 8, of the United Nations Convention on the Law of the Sea;

(e) General Assembly resolution 71/257 on oceans and the law of the sea;

(f) Relevant communications from States parties to the Convention and States Members of the United Nations, including Cameroon (22 March 2017) and Norway (7 July 2017).

Item 1
Opening of the forty-fourth session

4. The Assistant Secretary-General for Legal Affairs opened the forty-fourth session of the Commission.

5. In his opening remarks, the Assistant Secretary-General congratulated the members on their election, noting with satisfaction that the results of the most recent election had marked an encouraging first step towards achieving gender balance within the Commission. He recounted the remarkable work carried out by the Commission to date while recalling the substantial workload ahead, with 41 submissions[3] awaiting consideration. He also urged the Commission to give due consideration to the views expressed at the twenty-seventh Meeting of States Parties while considering ways to adjust its working arrangements (see SPLOS/316, sect. VI.A). In addition, he renewed the support of the Office of Legal Affairs, through its Division for Ocean Affairs and the Law of the Sea, to the Commission,

[1] For health reasons, Mr. Kalngui attended the session on 7 August and Mr. Glumov attended the session from 14 August to 8 September.

[2] For a full list of the submissions made to the Commission, see www.un.org/Depts/los/clcs_new/commission_submissions.htm.

[3] The number of submissions rose to 42 on the last day of the session, upon the receipt of the partial revised submission made by Brazil in respect of the Brazilian equatorial margin.

and to the Working Group of the Meeting of States Parties on the Conditions of Service of the Members of the Commission.

Item 2
Solemn declaration by the members of the Commission

6. Pursuant to rule 10 of the rules of procedure of the Commission (see CLCS/40/Rev.1), the members made solemn declarations and delivered signed copies thereof to the representative of the Secretary-General.

Item 3
Election of the Chair of the Commission

7. The Director of the Division for Ocean Affairs and the Law of the Sea, as the representative of the Secretary-General, facilitated the election of the Chair of the Commission. Taking into account rule 12 of the rules of procedure and the decision made by the Commission at its nineteenth session (see CLCS/54, para. 69), the Commission elected Mr. Park as its new Chair by acclamation. In accordance with rule 13 of the rules of procedure, Mr. Park was elected for a term of two and a half years and will be eligible for re-election.

Item 4
Adoption of the agenda

8. The Commission considered the provisional agenda (CLCS/L.43) and adopted it, with amendments (CLCS/99).[4]

Item 5
Election of the Vice-Chairs

9. Following consultations, the Commission elected Messrs. Glumov, Heinesen, Marques and Njuguna as Vice-Chairs by acclamation. In accordance with rule 13 of the rules of procedure, the Vice-Chairs were elected for a term of two and a half years and will be eligible for re-election.

Item 6
Appointment of the members to the subcommissions and other subsidiary bodies

Appointment of members to existing subcommissions

10. Following consultations and taking into account the partial change in membership of the Commission, which resulted from the elections held at the twenty-seventh Meeting of States Parties and the fact that only 20 members of the Commission had been elected at that time (see SPLOS/316, para. 82 and paras. 83-85), the Commission proceeded with the appointment of its members to the

[4] In response to an invitation by the Chair to present their submissions to the Commission at its forty-third session, the Bahamas and Canada indicated their preference to make presentations at a future session, on the understanding that the deferrals would not affect the position of their submissions in the queue.

subcommissions that had not yet completed their work. The membership of those subcommissions is as follows:[5]

(a) Subcommission established to consider the partial revised submission made by the Russian Federation in respect of the Arctic Ocean: Messrs. Awosika, Campos, Madon, Marques, Mazurowski and Park and Ms. Raharimananirina;

(b) Subcommission established to consider the partial revised submission made by Brazil in respect of the Brazilian Southern Region: Messrs. Awosika, Heinesen, Moreira, Park, Yamazaki and Yáñez Carrizo. The Commission decided that the seventh member of the subcommission would be appointed at a subsequent stage;

(c) Subcommission established to consider the joint submission made by France and South Africa in respect of the area of the Crozet Archipelago and the Prince Edward Islands: Messrs. Campos, Lyu, Mahanjane, Marques, Mazurowski, Njuguna and Paterlini;

(d) Subcommission established to consider the submission made by Kenya: Messrs. Awosika, Heinesen, Madon, Marques, Mazurowski, Moreira and Park;

(e) Subcommission established to consider the submission made by Mauritius in respect of the region of Rodrigues Island: Messrs. Awosika, Heinesen, Madon, Marques, Moreira and Park. The Commission decided that the seventh member of the subcommission would be appointed at a subsequent stage;

(f) Subcommission established to consider the submission made by Nigeria: Ms. De Landro-Clarke and Messrs. Heinesen, Lyu, Mahanjane, Njuguna, Paterlini and Yamazaki;

(g) Subcommission established to consider the submission made by France in respect of Reunion and the Saint-Paul and Amsterdam islands: Messrs. Al-Azri, Glumov, Kalngui, Moreira, Mosher and Yáñez Carrizo. The Commission decided that the seventh member of the subcommission would be appointed at a subsequent stage;

(h) Subcommission established to consider the submission made by Côte d'Ivoire: Messrs. Al-Azri, Mahanjane, Mosher, Njuguna, Paterlini and Yamazaki. The Commission decided that the seventh member of the subcommission would be appointed at a subsequent stage;

(i) Subcommission established to consider the submission made by Sri Lanka: Mr. Campos, Ms. De Landro-Clarke, Messrs. Glumov, Kalngui and Lyu, Ms. Raharimananirina and Mr. Yáñez Carrizo;

(j) Subcommission established to consider the submission made by Portugal: Mr. Al-Azri, Ms. De Landro-Clarke, Messrs. Glumov, Kalngui, Madon and Mosher and Ms. Raharimananirina.

Appointment of members of other subsidiary bodies

11. Following consultations, the Commission appointed members to other subsidiary bodies. These bodies are now composed as follows:[6]

(a) Committee on Confidentiality: Messrs. Campos, Mahanjane, Mazurowski, Yamazaki and Yáñez Carrizo;

[5] For information on the election of officers of the subcommissions, see the sections devoted to the respective submissions below.

[6] For information on the election of officers of the subsidiary bodies, see the respective sections below.

(b) Scientific and Technical Advice Committee: Mr. Awosika, Ms. De Landro-Clarke and Messrs. Lyu, Mazurowski and Mosher.

12. The Commission also decided that the Editorial Committee and the Training Committee would be reactivated only if the need arose.

Item 7
Organization of work

13. The Commission approved its programme of work and the schedule for deliberations, as outlined by the Chair.

Item 8
Workload of the Commission

14. Taking into account the relevant requests of the Meeting of States Parties and the previous decisions of the Commission concerning the duration and frequency of its session, the Commission decided that during the current five-year term of office it would continue to meet for a total of 21 weeks per year by holding three sessions of seven weeks each, and that no two sessions would be sequential. Four of those 21 weeks would be devoted to plenary meetings.[7]

Item 9
Consideration of the partial revised submission made by the Russian Federation in respect of the Arctic Ocean[8]

Election of officers

15. The subcommission elected Mr. Madon as Chair and Messrs. Awosika and Marques as Vice-Chairs.

Report of the subcommission

16. The Chair of the subcommission reported to the Commission on the progress of its work during the current session, noting that the subcommission had met from 21 to 25 August and from 5 to 8 September 2017. During that period, it had studied the "hand-over" document prepared during the forty-third session (see CLCS/98, para. 13). The subcommission had then continued the main scientific and technical examination of the submission pursuant to section IV of annex III to the rules of procedure. The subcommission took note of two communications received from the delegation, dated 19 July and 7 September 2017, and of the enclosed documentation.

17. Three meetings had been held with the delegation, during which its members had made four presentations, providing an overview of the submission and responding to a question posed by the subcommission at the forty-third session. The subcommission had presented details of the progress of its examination of the submission to date.

[7] See SPLOS/303, para. 84; CLCS/95, para. 113; and CLCS/88, para. 13. For information on the dates of the forty-sixth, forty-seventh and forty-eighth sessions, see para. 91 below.

[8] Submission made on 3 August 2015; see www.un.org/depts/los/clcs_new/submissions_files/submission_rus_rev1.htm.

18. The subcommission had decided that its members would continue to work individually on the submission during the intersessional period and that it would resume its consideration of the submission during the forty-fifth session, which would include meetings with the delegation. The subcommission had transmitted a communication to the delegation, providing, among other things, clarifications requested by the delegation during its presentations and posing an additional question.

19. The Chair of the subcommission also reported on certain substantive matters concerning the submission. During the ensuing discussion, members provided feedback and the Chair of the subcommission responded to questions.

20. The Commission decided that the meetings of the subcommission during the forty-fifth session would be held from 30 October to 17 November 2017.

Item 10
Consideration of the partial revised submission made by Brazil in respect of the Brazilian Southern Region[9]

Election of officers

21. The subcommission elected Mr. Awosika as Chair and Mr. Heinesen as Vice-Chair and confirmed Mr. Park as Vice-Chair.

Report of the subcommission

22. The Chair of the subcommission reported to the Commission on the progress of its work at the current session, noting that the subcommission had met from 7 to 18 August 2017. During that period, it had studied the "hand-over" document prepared during the forty-third session (see CLCS/98, para. 18). The subcommission had then continued the main scientific and technical examination of the submission pursuant to section IV of annex III to the rules of procedure.

23. Three meetings had been held with the delegation, during which it had made a number of presentations in response to the presentation made by the subcommission at the forty-third session (CLCS/98, para. 17).

24. The subcommission had decided that it would resume its consideration of the submission during the forty-fifth session.

25. The Chair of the subcommission also reported on certain substantive matters concerning the submission. During the ensuing discussion, members provided feedback and the Chair of the subcommission responded to questions.

26. The Commission decided that the meetings of the subcommission during the forty-fifth session would be held from 16 to 27 October 2017.

[9] Submission made on 10 April 2015; see www.un.org/Depts/los/clcs_new/submissions_files/submission_bra_rev.htm.

Item 11
Consideration of the submission made by Norway in respect of Bouvetøya and Dronning Maud Land[10]

Consideration of draft recommendations

27. The Chair of the Commission recalled that, at its forty-third session, the approval of the recommendations as prepared by the subcommission had been put to a vote, that the result of the vote had been 8 votes in favour and 8 votes against, with 2 abstentions, and that, consequently, the draft recommendations had not obtained the required two-thirds majority of members present and voting required for their approval (see CLCS/98, para. 22).

28. The Chair of the Commission also drew attention to a communication from Norway, dated 7 July 2017, in which that country, in view of the election of new members of the Commission, had requested the opportunity to make a presentation pursuant to paragraph 15 (1 bis) of annex III to the rules of procedure. The Commission decided to accommodate the request, on the understanding that the Commission would apply, mutatis mutandis, the modus operandi established in that paragraph. Consequently, the presentation by Norway would merely be a repeat of the presentation that the country had made on 16 August 2016, and it should not include new data or information. Following the presentations by the subcommission and by the delegation of Norway, the Commission would resume deliberations on the recommendations in private.

Item 12
Consideration of the joint submission made by France and South Africa in respect of the area of the Crozet Archipelago and the Prince Edward Islands[11]

Election of officers

29. The subcommission confirmed Mr. Njuguna as Chair and elected Messrs. Campos and Lyu as Vice-Chairs.

Report of the subcommission

30. The Chair of the subcommission reported to the Commission on the progress of its work at the current session, noting that the subcommission had met from 7 to 18 August 2017. During that period, it had studied the "hand-over" document prepared during the forty-third session (see CLCS/98, para. 32). The subcommission had then continued the main scientific and technical examination of the submission pursuant to section IV of annex III to the rules of procedure, in particular analysing new data provided by the joint delegation during the session.

31. Three meetings had been held with the joint delegation, during which the delegation had presented an outline of its views to date. The subcommission had transmitted to the joint delegation a document in which it had addressed certain aspects of that presentation. The subcommission had also made a presentation on the new data and their analysis.

[10] Submission made on 4 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_nor_30_2009.htm.

[11] Submission made on 6 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_frazaf_34_2009.htm.

32. The subcommission had decided that its members would continue to work individually on the joint submission during the intersessional period and that it would resume its consideration of the joint submission during the forty-fifth session, which would include meetings with the joint delegation.

33. The Chair of the subcommission also reported on certain substantive matters concerning the submission. During the ensuing discussion, members provided feedback and the Chair of the subcommission responded to questions.

34. The Commission decided that the meetings of the subcommission during the forty-fifth session would be held from 16 to 27 October 2017.

Item 13
Consideration of the submission made by Kenya[12]

Election of officers

35. The subcommission elected Mr. Heinesen as Chair and confirmed Messrs. Awosika and Marques as Vice-Chairs.

Report of the subcommission

36. The Chair of the subcommission reported to the Commission on the progress of its work at the current session, noting that the subcommission had met from 26 July to 4 August 2017. During that period, it had studied the "hand-over" document prepared during the forty-third session (see CLCS/98, para. 37). The subcommission had then continued the main scientific and technical examination of the submission pursuant to section IV of annex III to the rules of procedure.

37. During the session, the delegation had informed the subcommission in writing that it had acquired new data to replace the data and information requested at the forty-third session and that its response would be submitted before the forty-fifth session.

38. Two meetings had been held with the delegation, during which it had raised a number of issues relating to the procedural aspects of the consideration of the submission and the data and information that had been submitted to support the fulfilment of the scientific and technical requirements of the Statement of Understanding Concerning a Specific Method to be Used in Establishing the Outer Edge of the Continental Margin. The subcommission had given a reply to the delegation concerning the procedural aspects and had provided an overview of the status of consideration of the recently submitted data and information. At the conclusion of the current session, the subcommission had transmitted a communication to the delegation requesting additional data and information.

39. The subcommission had decided that its members would continue to work individually on the submission during the intersessional period and that it would resume its consideration of the submission during the forty-fifth session.

40. The Chair of the subcommission also reported on certain substantive matters concerning the submission. During the ensuing discussion, members provided feedback and the Chair of the subcommission responded to questions.

41. The Commission decided that the subcommission would meet during the forty-fifth session, from 20 November to 1 December 2017.

[12] Submission made on 6 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_ken_35_2009.htm.

Item 14
Consideration of the submission made by Mauritius in respect of the region of Rodrigues Island[13]

Election of officers

42. The subcommission confirmed Mr. Madon as Chair and Mr. Marques as Vice-Chair and elected Mr. Awosika as a new Vice-Chair.

Consideration of a request by Mauritius

43. The Commission continued its consideration of a request contained in two communications from Mauritius, dated 25 May 2016 and 30 January 2017, which the Commission had been unable to complete at the forty-first and forty-third sessions owing to its heavy workload. Having taken note of the request and of the information that the Government of Mauritius was obtaining further data in the region of Rodrigues Island, the Commission decided that it would suspend its consideration of the partial submission until further notice and that, following the receipt of the new data and information, it would determine the modalities of the consideration of the partial submission, taking into consideration the organization of work of the Commission at that time.

Item 15
Consideration of the submission made by Nigeria[14]

Election of officers

44. The subcommission confirmed Mr. Mahanjane as Chair and Messrs. Heinesen and Lyu as Vice-Chairs.

Report of the subcommission

45. The Chair of the subcommission reported to the Commission on the progress of its work at the current session, noting that the subcommission had met from 21 to 25 August and from 5 to 8 September. During that period, it had studied the "hand-over" document prepared during the forty-third session (see CLCS/98, para. 44). The subcommission had then continued the main scientific and technical examination of the submission pursuant to section IV of annex III to the rules of procedure. The Commission had taken note of a communication from Cameroon, dated 22 March 2017, relating to the submission made by Nigeria.

46. Two meetings had been held with the delegation, during which it had made presentations on the amended submission and on the data and clarifications provided in response to the requests made by the subcommission during previous sessions. The subcommission had transmitted a communication to the delegation requesting additional data and clarifications, and a response had been provided. Based on its review of the data and information submitted by the delegation during the current session, the subcommission had transmitted its preliminary views on certain aspects of the submission.

47. The subcommission had decided that its members would continue to work individually on the submission during the intersessional period and that it would

[13] Submission made on 6 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_mus_36_2009.htm.

[14] Submission made on 7 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_nga_38_2009.htm.

resume its consideration of the submission during the forty-fifth session, which would include meetings with the delegation.

48. The Chair of the subcommission also reported on certain substantive matters concerning the submission.

49. The Commission decided that the meetings of the subcommission during the forty-fifth session would be held from 30 October to 17 November 2017.

Item 16
Consideration of the submission made by Seychelles in respect of the Northern Plateau Region[15]

Consideration of draft recommendations

50. Owing to the brief duration of the plenary part of the current session, the Commission was not in a position to continue its consideration of the draft recommendations presented to it by the subcommission at the forty-third session (see CLCS/98, paras. 48-51). It decided to defer further consideration of the draft recommendations at the plenary level to the forty-sixth session.

Item 17
Consideration of the submission made by France in respect of Reunion and the Saint-Paul and Amsterdam islands[16]

Election of officers

51. The subcommission elected Mr. Mosher as Chair and Mr. Al-Azri as Vice-Chair and confirmed Mr. Kalngui as Vice-Chair.

Report of the subcommission

52. The Chair of the subcommission reported to the Commission on the progress of its work at the current session, noting that the subcommission had met from 21 to 25 August and from 5 to 8 September 2017. During that period, it had studied the "hand-over" document prepared during the forty-third session (see CLCS/98, para. 54). The subcommission had then continued the main scientific and technical examination of the submission pursuant to section IV of annex III to the rules of procedure.

53. Two meetings had been held with the delegation, during which it had responded to requests for clarification and additional information made by the subcommission at the previous session.

54. The subcommission had decided that its members would continue to work individually on the submission during the intersessional period and that it would resume its consideration of the submission during the forty-fifth session, which would include meetings with the delegation.

55. The Chair of the subcommission also reported on certain substantive matters concerning the submission. During the ensuing discussion, members provided feedback and the Chair of the subcommission responded to questions.

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[15] Submission made on 7 May 2009; see www.un.org/depts/los/clcs_new/submissions_files/submission_syc_39_2009.htm.

[16] Submission made on 8 May 2009; see www.un.org/depts/los/clcs_new/submissions_files/submission_fra_40_2009.htm.

56. The Commission decided that the meetings of the subcommission during the forty-fifth session would be held from 30 October to 17 November 2017.

Item 18
Consideration of the submission made by Côte d'Ivoire[17]

Election of officers

57. The subcommission elected Mr. Mahanjane as Chair and Messrs. Mosher and Paterlini as Vice-Chairs.

Report of the subcommission

58. The Chair of the subcommission reported to the Commission on the progress of its work at the current session, noting that the subcommission had met from 26 July to 4 August 2017. During that period, it had studied the "hand-over" document prepared during the forty-third session (see CLCS/98, para. 59). The subcommission had then continued the main scientific and technical examination of the submission pursuant to section IV of annex III to the rules of procedure. The delegation had submitted additional data and information, which had been considered by the subcommission.

59. Three meetings had been held with the delegation, during which it had presented the scientific and technical aspects of the submission, and the subcommission had made a presentation in response. Subsequently, the delegation had posed written questions to the subcommission, to which the subcommission had responded in writing.

60. The subcommission had decided that its members would continue to work on the submission during the intersessional period and that it would resume its consideration of the submission during the forty-fifth session, which would include meetings with the delegation.

61. The Chair of the subcommission also reported on certain substantive matters concerning the submission. During the ensuing discussion, members provided feedback and the Chair of the subcommission responded to questions.

62. The Commission decided that the meetings of the subcommission during the forty-fifth session would be held from 20 November to 1 December 2017.

Item 19
Consideration of the submission made by Sri Lanka[18]

Election of officers

63. The subcommission elected Mr. Yáñez Carrizo as Chair and Mr. Campos and Ms. De Landro-Clarke as Vice-Chairs.

Report of the subcommission

64. The Chair of the subcommission reported to the Commission on the progress of its work at the current session, noting that the subcommission had met from 26 July to 4 August 2017. During that period, it had studied the "hand-over"

[17] Submission made on 8 May 2009 and amended on 24 March 2016; see www.un.org/depts/los/clcs_new/submissions_files/submission_civ_42_2009.htm.

[18] Submission made on 8 May 2009; see www.un.org/depts/los/clcs_new/submissions_files/submission_lka_43_2009.htm.

document prepared during the forty-third session (see CLCS/98, para. 67). The subcommission had then continued its analysis of the submission.

65. Three meetings had been held with the delegation, during which the subcommission and the delegation had exchanged views concerning the data and information submitted pursuant to requests by the subcommission.

66. The subcommission had decided that its members would continue to work individually on the submission during the intersessional period and that the subcommission would resume its consideration of the submission during the forty-fifth session, which would include meetings with the delegation.

67. The Chair of the subcommission also reported on certain substantive matters concerning the submission. During the ensuing discussion, members provided feedback and the Chair of the subcommission responded to questions.

68. The Commission decided that the meetings of the subcommission during the forty-fifth session would be held from 20 November to 1 December 2017.

Item 20
Consideration of the submission made by Portugal[19]

Election of officers

69. The subcommission elected Ms. De Landro-Clarke as Chair and Mr. Madon and Ms. Raharimananirina as Vice-Chairs.

Report of the subcommission

70. The Chair of the subcommission reported to the Commission on the progress of its work at the current session, noting that the subcommission had met from 7 to 18 August 2017, in addition to having a short meeting on 26 July to review organizational matters. During that period, the subcommission had conducted the initial examination of the submission, as amended, pursuant to section III of annex III to the rules of procedure.

71. On 1 August 2017, Portugal had transmitted an addendum to the submission, which included updated versions of the main body and supporting documents, and contained the geographic information system project and digital data sets of the submission. According to the coastal State, the addendum replaced in its entirety the original submission made on 11 May 2009.

72. The subcommission had concluded that the addendum constituted a significant departure from the original limits and formulae lines submitted by Portugal on 11 May 2009. Accordingly, it had requested the delegation to submit an amended executive summary in order for the Secretary-General to give due publicity to it. The amended summary had been transmitted to the Commission, through the Secretary-General, on 22 August 2017.[20]

73. The subcommission had verified the format and completeness of the submission. In addition, it had completed the preliminary analysis of the submission, concluding, among other things, that it was not necessary at that stage to recommend seeking cooperation with competent international organizations, in accordance with rule 56 of the rules of procedure, or advice by specialists, in

[19] Submission made on 11 May 2009: see **Error! Hyperlink reference not valid.**www.un.org/depts/los/clcs_new/submissions_files/submission_prt_44_2009.htm.

[20] See www.un.org/depts/los/clcs_new/submissions_files/prt44_09/prt2017executivesummary.pdf.

accordance with rule 57. The subcommission had also concluded that more time would be required to examine the data and prepare recommendations for transmittal to the Commission. It had also decided to address issues relating to the test of appurtenance in the context of the main scientific and technical examination of the submission, to be conducted pursuant to section IV of annex III to the rules of procedure.

74. Three meetings had been held with the delegation, during which it had given a detailed presentation on the submission as amended. At the first meeting, the subcommission had given a standard presentation on the procedures and practices followed by subcommissions in the examination of submissions. It had also presented its preliminary views on the submission and requested clarifications with respect to the data and information submitted, including through a communication transmitted to the delegation.

75. The subcommission had decided that its members would continue to work individually on the submission during the intersessional period and that it would resume its consideration of the submission during the forty-fifth session, which would include meetings with the delegation.

76. The Chair of the subcommission also reported on certain substantive matters concerning the submission. During the ensuing discussion, members provided feedback and the Chair of the subcommission responded to questions.

77. The Commission decided that the meetings of the subcommission during the forty-fifth session would be held from 16 to 27 October 2017.

Item 21
Report on the twenty-seventh Meeting of States Parties to the United Nations Convention on the Law of the Sea

78. The former Chair of the Commission, Mr. Awosika, provided an overview of the proceedings of the twenty-seventh Meeting of States Parties, held in June 2017, which were deemed of relevance to the Commission (SPLOS/316, paras. 50-64). In particular, he informed the members of the Commission of the concerns expressed by some submitting States. He also provided an overview of the work carried out by the Working Group of the Meeting of States Parties on the Conditions of Service of the Members of the Commission.

79. The Commission took note of the information reported by the Chair and expressed its appreciation to the States parties for their attention to the work of the Commission. The Commission also expressed appreciation for the decision of the Meeting of States Parties, based on a proposal of the Working Group, to conduct a new survey in order to assess the needs and views of the newly elected members of the Commission after the forty-fifth session.

80. Members exchanged views on the way to address the concerns raised by some submitting States in order to ensure transparency and consistency in the proceedings. In respect of its practice relating to the adoption of recommendations, the Commission recalled that, in accordance with rule 35, paragraph 2, of its rules of procedure, it had always made every effort to reach agreement on substantive matters by way of consensus and that there had been no voting on such matters until all efforts to achieve consensus had been exhausted. Consequently, recommendations approved by the Commission by consensus were reported, in the statements of the Chair on the progress of work in the Commission, as having been approved "without a vote", in keeping with the above-mentioned rule.

81. To address the other concerns expressed by some submitting States, the Commission revisited its internal working methods. It decided, among other things, that the Chairs of the subcommissions, when reporting to the Commission, would provide a more comprehensive and substantive account of their progress in the consideration of the submissions, highlighting areas that would benefit from guidance by the Commission, as needed. This would allow for timely feedback from other members of the Commission, which could be taken into account by the subcommissions and conveyed, as appropriate, to the delegations of submitting States. The Commission concluded that proceeding thus might reduce or eliminate instances in which recommendations amended and approved by the Commission departed substantially from the drafts prepared by the subcommissions.

82. The Commission also decided to establish a working group to further consider the issues raised during the twenty-seventh Meeting of States Parties and formulate additional proposals. The working group, composed of Messrs. Awosika (Coordinator), Glumov, Heinesen, Madon, Marques, Mosher and Njuguna, met and subsequently reported to the Commission that more time would be required for the completion of its work and that the working group would present the outcome of its work at the forty-sixth session.

Item 22
Report of the Chair of the Committee on Confidentiality

Election of officers

83. The Committee on Confidentiality met and elected Mr. Mahanjane as Chair and Mr. Campos as Vice-Chair.

Report of the Committee

84. As requested by the Commission at its forty-third session (see CLCS/98, para. 80), the former Chair of the Commission, Mr. Awosika, reported his findings concerning access by some members during that session to data and information classified by submitting States as confidential, pursuant to annex II to the rules of procedure. The Commission decided that the matter should be referred to the Committee on Confidentiality.

85. The Chair of the Committee, Mr. Mahanjane, reported that the Committee had held one organizational meeting thereon and that it would consider the matter at the forty-fifth session and report at the forty-sixth session.

Item 23
Report of the Chair of the Scientific and Technical Advice Committee

Election of officers

86. The Scientific and Technical Advice Committee met and elected Mr. Lyu as Chair and Mr. Awosika as Vice-Chair.

Report of the Committee

87. The Chair of the Committee reported that no additional meeting of the Committee had been required during the current session.

Item 24
Other matters

Attendance of members

88. The Commission addressed the issue of the attendance of its members and re-emphasized that it was important for all members to attend all its meetings on time and in full. The Chair stated that he would continue the practice of bringing to the attention of permanent missions, as necessary, the absence of members nominated by their Governments and the repercussions of those members' absence on the work of the Commission.

Future sessions of the Commission

89. The Commission recalled its decision to hold its forty-fifth session from 16 October to 1 December 2017, with no plenary meetings (see CLCS/95, para. 113), and adopted the following programme of work for that session:

1. Consideration of the partial revised submission made by the Russian Federation in respect of the Arctic Ocean.
2. Consideration of the partial revised submission made by Brazil in respect of the Brazilian Southern Region.
3. Consideration of the joint submission made by France and South Africa in respect of the area of the Crozet Archipelago and the Prince Edward Islands.
4. Consideration of the submission made by Kenya.
5. Consideration of the submission made by Nigeria.
6. Consideration of the submission made by France in respect of Reunion and the Saint-Paul and Amsterdam islands.
7. Consideration of the submission made by Côte d'Ivoire.
8. Consideration of the submission made by Sri Lanka.
9. Consideration of the submission made by Portugal.
10. Other matters.

90. The Commission also decided that, during the forty-fifth session, it would hold a meeting of all its members to discuss the application of various elements of the Statement of Understanding Concerning a Specific Method to be Used in Establishing the Outer Edge of the Continental Margin annexed to the Final Act of the Third United Nations Conference on the Law of the Sea.

91. In keeping with the decision to continue to meet, during its five-year term of office, for a total of 21 weeks per year, including four weeks of plenary meetings, by holding three sessions per year of seven weeks each (see para. 14), the Commission decided that, in 2018, it would hold the following sessions:

(a) The forty-sixth session, from 29 January to 16 March. The plenary parts of the session would be held, subject to the approval of the General Assembly, from 5 to 9 February and from 5 to 9 March;

(b) The forty-seventh session, from 23 July to 7 September. The plenary parts of the session would be held, subject to the approval of the General Assembly, from 6 to 10 August and from 27 to 31 August;

(c) The forty-eighth session, from 15 October to 30 November, with no plans for plenary meetings.

Trust funds

92. The Commission was informed by the secretariat about the status of the voluntary trust fund for the purpose of defraying the cost of the participation of the members of the Commission from developing States in its meetings. Since the forty-third session, contributions had been received from China, Iceland and Portugal. As at 31 July 2017, the trust fund had a balance of some $580,000.

93. For the current session, financial assistance had been provided to seven members of the Commission from developing States, for an estimated total of $150,000. The funding requirements for the forty-fifth session were estimated at $150,000.

94. The secretariat also noted that, pursuant to paragraph 96 of General Assembly resolution 71/257, following the allocation of the required funds to cover the costs of travel and daily subsistence allowance of the members of the Commission from developing States for the sessions of the Commission in 2017, the Secretary-General had been able to reimburse those members for the costs of medical travel insurance from the trust fund on a session-by-session basis. The secretariat also noted that, should that level of coverage be the same for the forty-fifth session, the current balance might not be sufficient to cover the sessions of the Commission in 2018 unless further contributions were received. The secretariat stressed that the continued contributions to the trust fund were of critical importance to facilitate the participation of members from developing countries in the work of the Commission, and indicated that it would continue to bring the need for additional contributions to the attention of Member States.

95. The Commission reiterated its concern regarding the ongoing inadequate financial situation of the voluntary trust fund and expressed the hope that a more durable solution could be found, as reliance on the fund might not represent a sustainable way to defray the expenses of the members while in performance of Commission duties.

96. With regard to the voluntary trust fund for the purpose of facilitating the preparation of submissions to the Commission of developing States, in particular the least developed countries and small-island developing States, and in compliance with article 76 of the United Nations Convention on the Law of the Sea, the secretariat reported that, as at 31 July 2017, the trust fund had a balance of some $1.18 million. It was recalled that the General Assembly, in the annex to its resolution 70/235, had amended the terms of reference of the trust fund to allow for the provision of assistance to developing States in order to cover the travel and daily subsistence allowance costs associated with meeting with the Commission when their submissions were being examined and upon the invitation of the Commission. Four States had received assistance from the trust fund to participate in meetings held during the current session of the Commission.

Presentations

97. In view of the election of members of the Commission in June 2017 and for the benefit, in particular, of the newly elected members, the secretariat made presentations on 25 and 26 July and during the plenary parts of the session. Through those presentations, the secretariat addressed the status of the members of the Commission as experts on mission, the rules of procedure and code of conduct, the modus operandi, matters relating to the use of the facilities of the Division for Ocean Affairs and the Law of the Sea and the United Nations, software licences,

health and safety issues, fire and emergency preparedness and means available for intersessional communication. Mr. Awosika made a presentation on the Scientific and Technical Guidelines of the Commission. A welcome package, consisting of basic documents, was also made available by the secretariat to the members.

Acknowledgements

98. The Commission noted with appreciation and gratitude the high standard of secretariat services rendered to it by the Division for Ocean Affairs and the Law of the Sea.

99. The Commission expressed its appreciation to other members of the secretariat for the assistance that they had provided to the Commission and noted, in particular, the high professional standard of interpretation in the official languages of the United Nations and the assistance provided by the conference officers.